

Agenda Item: V.

DATE: November 20, 2008

SUBJECT: Revised Legal and Regulatory Policy - LR2.0 - Statewide Access and Diversity of Higher Education - Post *Geier*

ACTION RECOMMENDED: Approval

BACKGROUND INFORMATION: On September 21, 2006 the Court ruled that all parties in the lawsuit have reached agreement in the final disposition of the twenty-five year desegregation case, stating that the “Defendants have fully complied with the requirements of the 2001 Consent Decree, *Geier v. Sundquist*.”

The provisions of the disposition address policies and practices to continue in the spirit of *Geier* with respect to diversity and access. This policy revision will bring Commission policy in line with that spirit and intent. The current and proposed policies follow:

Current Policy:

Policy Title: Statewide Desegregation of Higher Education

Policy Number: LR2.0

- 2.0.10 The Tennessee Higher Education commission reaffirms its equal opportunity for all Tennesseans to pursue educational interests beyond the secondary level. Desegregation of students, faculty, and staff at each of the public colleges and universities in Tennessee continues to be a priority of Tennessee higher education.
- 2.0.10A In September 1984, a Stipulation of Settlement was entered in the lengthy statewide desegregation lawsuit, “currently styled, *Geier v. Sundquist*.” As a result, the Commission, in conjunction with the Board of Trustees of the University of Tennessee and the State Board of Regents, offers a variety of special opportunities designed to facilitate the achievement of desegregation.
- 2.0.10B The Commission shall make annual budget recommendations as needed to support desegregation initiatives for inclusion in the Governor’s budget to the General Assembly.

Proposed policy:

Policy Title: Statewide Access and Diversity of Higher Education

Policy Number: LR2.0

2.0.10 The Tennessee Higher Education Commission reaffirms its commitment to equal opportunity for all Tennesseans to pursue postsecondary educational interests.

2.0.10A The Commission recognizes that open access for all who wish to pursue interests in higher education and diversity among students, faculty, and staff are fundamental principles that must be safeguarded. Funding and programmatic matters will be viewed in light of those guiding principles.